UNITED
NATIONS

A

General Assembly

PROVISIONAL

A/45/PV.68
4 January 1991

ENGLISH

Forty-fifth session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE SIXTY-EIGHTH MEETING

Held at Headquarters, New York,
on Friday, 14 December 1990, at 10 a.m.

President:	Mr. de MARCO	(Malta)
later:	Mr. MAVROMMATIS (Vice-President)	(Cyprus)
later:	Mr. de MARCO	(Malta)

- Fortieth anniversary of the establishment of the Office of the United Nations High Commissioner for Refugees

- Statement by the President

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The meeting was called to order at 10.35 a.m.

FORTIETH ANNIVERSARY OF THE ESTABLISHMENT OF THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

The PRESIDENT: The commemoration today of the fortieth anniversary of the adoption, by this very body, of the statute of the Office of the United Nations High Commissioner for Refugees (UNHCR) is both an important and a sad event. If the international community demonstrated its wisdom in establishing, and later in extending and reinforcing, the High Commissioner's mandate and competence in regard to the most vulnerable victims of man's inhumanity to man, the mere fact that we commemorate this anniversary today is alarming evidence of our failure to prevent the human consequences of our inability to resolve the problems of persecution and conflict.

Since 1951 the development of international law has provided an increasingly universal framework for protecting refugees, who, by definition, cannot turn to their own Governments for protection. There nevertheless remains a number of States that have not yet become parties to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and I, can only urge them to seize the opportunity of the fortieth anniversary next year to accede to these fundamental humanitarian instruments.

Naturally, the gamut of human disasters since 1951 has far exceeded, both in number and in conceptual and geographical scope, what the drafters of the UNHCR statute and of the 1951 Convention had in mind. In a series of interventions starting in the 1960s UNHCR's history has been interwoven with the turbulence of decolonization and with the radical metamorphisis of the world's architecture over the past decades. UNHCR has been involved - not least at the request of the

(The President)

General Assembly - in protecting and assisting the victims of this painful historical evolution. It has played a mitigating role and, whenever possible, has been instrumental in promoting solutions for the manifold humanitarian tragedies that have occurred in Latin America, in Asia and in Africa.

(The President)

However, the linkage between the humanitarian endeavours of the UNHCR and political solutions to underlying causes has too often been elusive. The complexity of the map showing the world's refugees today is the telling reflection of what I consider a most worrisome fact: the inability of States to formulate early solutions in terms of peace-keeping and the restoration of respect for human rights is proportional to the number of conflict situations that generate exodus of refugees. This ought not to be the case, particularly at a time when we, as members of the General Assembly and of the Security Council, are in the process of forging a more effective security and conflict resolution system based on greater respect for the Charter of the United Nations.

It is imperative that humanitarian questions be given higher political priority. It is with this in mind that I shall be visiting the Palestine refugee camps in the occupied territories and in Jordan run by a sister organization, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), early in the new year. This visit will permit me to see, at first hand, the conditions faced by those living in the camps and to express to them personally the support of the General Assembly and concern for their plight. I hope that during my tenure of office I shall also have the opportunity to visit other refugees and express to those officials responsible for the refugee camps run by the UNHCR the support of the General Assembly for the way they are facing the challenge entrusted to them by the international community.

The ever increasing problem of refugees is all the more preoccupying in the context of another phenomenon recently debated in the Third Committee - namely, the growing magnitude and complexity of world-wide migration, which is largely motivated by another striking failure of the international community. I am referring to the question of equitable economic and social development.

(The President)

I sincerely hope that the fortieth anniversary of the founding of the Office of the United Nations High Commissioner for Refugees provides Governments, intergovernmental and non-governmental organizations, the media and the public at large with the opportunity to focus attention on the urgent needs of refugees around the world. It is a sad fact that in recent years financial resources made available for humanitarian activities have not grown in proportion to the number of persons requiring international protection and assistance. You will agree that it is an intolerable paradox if scarcer funds are to be the international community's response to a cluster of unresolved humanitarian challenges.

This anniversary should above all inspire us to find the necessary political will and ethical sense of purpose to pursue solutions for the victims of the innumerable man-made disasters that have marked our modern era and to eliminate the root causes of these repeated human tragedies.

I now call on the Secretary-General of the United Nations, Mr. Javier Perez de Cuellar, who wishes to address the General Assembly at this time.

The SECRETARY-GENERAL: Forty years ago today the General Assembly decided to establish the Office of the United Nations High Commissioner for Refugees (UNHCR). In commemorating this anniversary, let us take stock of the considerable achievements of this Office of the United Nations and look ahead to what the future may require of it.

Since the UNHCR was created, solutions have been found for more than 20 million refugees world-wide. This has been an extraordinary accomplishment. Time and again the solving of refugee problems has reduced political tensions and played a significant role in fostering peace. In recognition of this, the United Nations High Commissioner for Refugees has twice received the Nobel Peace Prize -

(The Secretary-General)

in 1954 and again in 1981. I wish to compliment the staff of the UNHCR for their dedicated efforts over the years.

Since 1951 no fewer than 107 States on all continents have signed the Convention relating to the Status of Refugees and its 1967 Protocol. As a result, those who flee their countries because of a well-founded fear of persecution now have a basic bill of rights that has acquired universal validity. In Africa and Latin America regional arrangements have extended the refugee concept to cover victims of conflict and violations of human rights. In addition, the UNHCR has been repeatedly called on by the General Assembly to protect and assist those displaced from their countries for similar reasons.

Sadly, there have also been disappointments. It has not been possible for the international community to end all forms of persecution, violence and the abuse of fundamental human rights or to avert new refugee flows. Throughout the period of the cold war, and often during the process of decolonization, tension and conflict led to an increase in the number of refugees. Today, regrettably, there is a total of some 15 million refugees - a number so large as to shock the conscience of humanity.

We are living through times of momentous political change. It is a time of unparalleled opportunity, but also one of great uncertainty. Hopes of a post-cold-war world free of conflict have recently been clouded by the crisis in the Persian Gulf, while young democracies are being challenged by far-reaching social and economic problems. Meanwhile, large numbers of refugees continue to flee from their countries into exile, often at an unbearable cost to neighbouring States. The movements of people triggered by persecution or conflict are also increasingly complicated by migratory trends resulting from the growing economic disparity between regions and continents or from environmental decline. Unless such developments are managed with care, they can pose grave threats to peace.

(The Secretary-General)

The fortieth anniversary of UNHCR should serve, above all, to make us reflect on the global situation. It is a reminder to the international community not only of the immediate plight of existing refugees, but also of the urgent need to work collectively to eliminate the causes of refugee flows. The process of democratization and the end of ideological confrontation have provided us with a rare opportunity for concerted international action to achieve peace with justice and social and economic progress. The challenge that confronts us now is to ensure that we seize this opportunity. Only in this way can we envisage a world without refugees.

STATEMENT BY THE PRESIDENT

The PRESIDENT: I should like to inform the Assembly that over the past three months I have taken the opportunity to consult informally, in my capacity as President, on ways and means of giving a more effective role to this forum.

In this initial phase my most intensive contacts have been with the group consisting of the Chairmen of the Main Committees and of the Advisory Committee on Administrative and Budgetary Questions, taking into account the informal but broadly representative nature of this group and the direct access it provides to the whole range of issues that are of immediate concern to all the Members of the Assembly.

Two points have clearly emerged from these preliminary consultations. There is an increasing awareness of the unique role the General Assembly, with its almost universal membership, can play in the conduct of international relations. At the same time, there is a deep appreciation of the fact that the recent positive developments in international relations have opened up new challenges as well as opportunities for the General Assembly to fulfil more effectively perhaps than heretofore the responsibilities entrusted to it under the Charter.

(The President)

My own starting point in this matter is the realization that the General Assembly is the major organ under the Charter which provides each and every Member of the United Nations an equal opportunity to engage in the consideration of matters of common concern. When the Assembly speaks and acts collectively it is therefore essentially giving expression to the voice of mankind. Yet it is generally acknowledged that both the Assembly's methods of deliberation and the effectiveness with which its recommendations are followed up require improvement.

In the course of the informal consultations in which I have been engaged, many ideas aimed at enhancing the relevance of the Assembly's deliberations and ensuring a more effective response both by Governments and by international organizations to its recommendations have been discussed at some length. Among other things, these ideas have touched upon the spacing of General Assembly meetings throughout the year, the possibility of leaner and more topical agendas, and a closer ministerial involvement in the Assembly's deliberations and decision-making process. Other aspects which are already being considered within the framework of ongoing consultations, in particular regarding the efficiency of the economic and social sectors of the United Nations, have also been kept in view during these consultations.

This initial round of informal consultations, which has of necessity been of a very preliminary and informal nature, has been very encouraging. I am deeply appreciative to the Chairmen of the Main Committees and of the Advisory Committee on Administrative and Budgetary Questions for the interest and co-operation they have shown in this matter. It is my intention to proceed with these informal consultations over the coming months, enlarging the circle of my contacts to include, among others, the members of the General Committee and all other members of the Assembly that manifest an interest in the matter. The objective is to

(The President)

prepare a set of recommendations, acceptable to all, that, once implemented, would ensure that at a time of dramatic and far-reaching changes in the system of international relations our General Assembly would continue to fulfil the role envisaged for it under the Charter.

We believe that the General Assembly has to keep the primacy it occupies among nations, leading our Organization towards what has been described as the second generation United Nations.

AGENDA ITEMS 88 TO 107 AND 109

ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA: REPORT OF THE THIRD COMMITTEE (A/45/744)

EFFECTIVE IMPLEMENTATION OF UNITED NATIONS INSTRUMENTS ON HUMAN RIGHTS AND EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO SUCH INSTRUMENTS: REPORT OF THE THIRD COMMITTEE (A/45/745)

WORLD SOCIAL SITUATION: REPORT OF THE THIRD COMMITTEE (A/45/746)

ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION: REPORT OF THE THIRD COMMITTEE (A/45/747)

IMPLEMENTATION OF THE WORLD PROGRAMME OF ACTION CONCERNING DISABLED PERSONS AND THE UNITED NATIONS DECADE OF DISABLED PERSONS: REPORT OF THE THIRD COMMITTEE (A/45/748)

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS: REPORT OF THE THIRD COMMITTEE (A/45/749)

ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS: REPORT OF THE THIRD COMMITTEE (A/45/750)

NEW INTERNATIONAL HUMANITARIAN ORDER: REPORT OF THE THIRD COMMITTEE (A/45/751)

POLICIES AND PROGRAMMES INVOLVING YOUTH: REPORT OF THE THIRD COMMITTEE (A/45/752)

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD: REPORT OF THE THIRD COMMITTEE (A/45/753)

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION: REPORT OF THE THIRD COMMITTEE (A/45/754)

QUESTION OF AGING: REPORT OF THE THIRD COMMITTEE (A/45/755)

CRIME PREVENTION AND CRIMINAL JUSTICE

(a) REPORT OF THE THIRD COMMITTEE (A/45/756)

(b) REPORT OF THE FIFTH COMMITTEE (A/45/845)

ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN: REPORT OF THE THIRD COMMITTEE (A/45/757)

FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN TO THE YEAR 2000: REPORT OF THE THIRD COMMITTEE (A/45/758)

IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS: REPORT OF THE THIRD COMMITTEE (A/45/759)

INTERNATIONAL YEAR OF THE FAMILY: REPORT OF THE THIRD COMMITTEE (A/45/760)

INTERNATIONAL COVENANTS ON HUMAN RIGHTS: REPORT OF THE THIRD COMMITTEE (A/45/761)

ELIMINATION OF ALL FORMS OF RELIGIOUS INTOLERANCE: REPORT OF THE THIRD COMMITTEE (A/45/762)

OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES: REPORT OF THE THIRD COMMITTEE (A/45/763)

TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT: REPORT OF THE THIRD COMMITTEE (A/45/765)

The PRESIDENT: I call on the Rapporteur of the Third Committee, Mr. Mario De Leon of the Philippines, who will introduce the reports of the Third Committee.

Mr. DE LEON (Philippines), Rapporteur of the Third Committee: The Third Committee carried out its work during the course of 63 meetings, at which additional resolutions were adopted, the larger percentage - about 90 per cent - being adopted without a vote.

At this morning's meeting I have the honour of presenting 21 of the 24 reports of the Committee for the consideration of the General Assembly. I shall introduce them in the order in which they are listed in the Journal.

(Mr. De Leon, Rapporteur,
Third Committee)

Under item 88, "Adverse consequences for the enjoyment of human rights of political,military, economic and other forms of assistance given to the racist and colonialist régime of South Africa", the Third Committee recommends the adoption of the draft resolution in paragraph 9 of its report (A/45/744).

Under item 89, "Effective implementation of United Nations instruments on human rights and effective functioning of bodies established pursuant to such instruments", the Third Committee recommends the adoption of the draft resolution in paragraph 9 of its report (A/45/745).

Under item 90, "World social situation", the Third Committee recommends the adoption of the two draft resolutions in paragraph 14 of its report (A/45/746).

Under item 91, "Elimination of all forms of racial discrimination", the Third Committee recommends the adoption of the three draft resolutions in paragraph 15 of its report (A/45/747).

Under item 92, "Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons", the Third Committee recommends the adoption of the draft resolution in paragraph 8 of its report (A/45/748).

Under item 93, "Human rights and scientific and technological developments", the Third Committee recommends the adoption of the four draft resolutions in paragraph 19 of its report (A/45/749).*

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* Mr. Mavrommatis (Cyprus), Vice-President, took the Chair.

(Mr. De Leon, Rapporteur,
Third Committee)

Under item 94, entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms", the Third Committee recommends in its report (A/45/750) the adoption of four draft resolutions, in paragraph 21, and a draft decision, in paragraph 22.

Under item 95, entitled "New international humanitarian order", the Third Committee recommends in paragraph 12 of its report the adoption of three draft resolutions.

Under item 96, entitled "Policies and programmes involving youth", the Third Committee recommends in paragraph 7 of its report (A/45/752) the adoption of a draft resolution.

Under item 97, entitled "Implementation of the Convention on the Rights of the Child", the Third Committee recommends in paragraph 7 of its report (A/45/753) the adoption of a draft resolution.

Under item 98, entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination", the Third Committee recommends in paragraph 10 of its report (A/45/754) the adoption of a draft resolution.

Under item 99, entitled "Question of aging", the Third Committee recommends in paragraph 11 of its report (A/45/755) the adoption of a draft resolution.

Under item 100, entitled "Crime prevention and criminal justice", the Third Committee recommends in its report (A/45/756) the adoption of 17 draft resolutions, in paragraph 51, and one draft decision, in paragraph 52.

Under item 101, entitled "Elimination of all forms of discrimination against women", the Third Committee recommends in paragraph 8 of its report (A/45/757) the adoption of a draft resolution.

(Mr. De Leon, Rapporteur,
Third Committee)

Under item 102, entitled "Forward-looking strategies for the advancement of women to the year 2000", the Third Committee recommends in paragraph 20 of its report (A/45/758) the adoption of five draft resolutions.

Under item 103, entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights", the Third Committee recommends, in paragraph 18 of its report (A/45/759) the adoption of three draft resolutions.

Under item 104, entitled "International Year of the Family", the Third Committee recommends, in paragraph 15 of its report (A/45/760) the adoption of two draft resolutions.

Under item 105, entitled "International Covenants on human rights", the Third Committee recommends, in paragraph 8 of its report (A/45/761), the adoption of a draft resolution.

Under item 106, entitled "Elimination of all forms of religious intolerance", the Third Committee recommends, in paragraph 7 of its report (A/45/762) the adoption of a draft resolution.

Under item 107, entitled "Office of the United Nations High Commissioner for Refugees", the Third Committee recommends, in paragraph 18 of its report (A/45/763) the adoption of five draft resolutions.

Finally, under item 109, entitled "Torture and other cruel, inhuman or degrading treatment or punishment", the Third Committee recommends in paragraph 12 of its report (A/45/765) the adoption of three draft resolutions.

Before concluding, may I take this opportunity to thank all my colleagues members of the Third Committee for their active involvement in, as well as their

(Mr. De Leon, Rapporteur, Third Committee)

substantive contribution to, the work of the Committee. There is no doubt that the improved tone of the debate was due to the spirit of co-operation and conciliation they consistently displayed. I also wish to pay a tribute to the Chairman, Ambassador Juan Somavia and the two Vice-Chairmen, Ms. J. C. Coombs and Miss Chipo Zindoga, for their untiring efforts in steering the work of the Committee towards a successful conclusion. Lastly, my thanks go to the members of the Secretariat for all their assistance and support, particularly in the preparation of these reports.

The PRESIDENT: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Third Committee which are before the Assembly today.

It was so decided.

The PRESIDENT: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the various recommendations of the Third Committee have been made clear in the Committee and are reflected in the relevant official records.

I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committe and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

I remind delegations that, also, in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

(The President)

Before we begin to take action on the recommendations in the reports of the Third Committee, I have to advise representatives that we shall proceed with the voting in the same manner as in the Third Committee. This means that where recorded or separate votes were taken, we will do the same.

I hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Third Committee, unless of course delegations have already notified the Secretariat to the contrary.

The Assembly will turn first to the report of the Third Committee (A/45/744) on agenda item 88, entitled "Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa".

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 9 of its report.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, France, Germany, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Israel, Japan, Liechtenstein, Malta, New Zealand, Norway, Poland, Romania, Spain, Sweden, Turkey

The draft resolution was adopted by 120 votes to 9, with 22 abstentions (resolution 45/84).*

The PRESIDENT: This concludes our consideration of agenda item 88.

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* Subsequently, the delegation of Panama advised the Secretariat that it had intended to vote in favour.

(The President)

The Assembly will now consider the report of the Third Committee on agenda item 89, entitled "Effective implementation of the United Nations instruments on human rights and effective functioning of bodies established pursuant to such instruments" (A/45/745).

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 9 of its report. The Third Committee adopted that draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 45/85).

The PRESIDENT: We have concluded our consideration of agenda item 89.

The Assembly will now turn to the report of the Third Committee on agenda item 90, entitled "World social situation" (A/45/746). The Assembly will take a decision on the two draft resolutions recommended by the Third Committee in paragraph 14 of its report.

Draft resolution I, entitled "Achievement of social justice", was adopted by the Third Committee without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 45/86).

The PRESIDENT: Draft resolution II is entitled "World social situation". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: United States of America

Abstaining: Germany, Israel, Japan, United Kingdom of Great Britain and Northern Ireland

Draft resolution II was adopted by 146 to 1, with 4 abstentions (resolution 45/87).*

The PRESIDENT: We have thus concluded our consideration of agenda item 90. We turn next to the report of the Third Committee on agenda item 91, entitled "Elimination of all forms of racial discrimination" (A/45/747). The Assembly will now take a decision on the three draft resolutions recommended by the Third Committee in paragraph 15 of its report.

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* Subsequently the delegation of Panama advised the Secretariat that it had intended to vote in favour.

(The President)

Draft resolution I is entitled "Report of the Committee on the Elimination of Racial Discrimination". Draft resolution I was adopted by the Third Committee without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 45/88).

The PRESIDENT: Draft resolution II is entitled "Status of the International Convention on the Elimination of All Forms of Racial Discrimination". The Third Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 45/89).

The PRESIDENT: Draft resolution III is entitled "Status of the International Convention on the Suppression and Punishment of the Crime of Apartheid". A separate, recorded vote has been requested on the words "State terrorism" in the fifth preambular paragraph, on the sixth preambular paragraph, and on operative paragraphs 5 and 8 of draft resolution III. Is there any objection to that request?

As there is none, I shall put to the vote first the words "State terrorism" in the fifth preambular paragraph.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia

Against: Belgium, Canada, Denmark, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Saint Kitts and Nevis, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Costa Rica, Côte d'Ivoire, Czechoslovakia, Dominica, El Salvador, Finland, Honduras, Iceland, Liechtenstein, Malta, New Zealand, Norway, Paraguay, Poland, Romania, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Zaire

The words "State terrorism" in the fifth preambular paragraph of draft resolution III were retained by 99 votes to 18, with 27 abstentions.*

The PRESIDENT: Next I shall put to the vote the sixth preambular paragraph of draft resolution III.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, Canada, France, Germany, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America

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* Subsequently the delegations of Panama, Vanuatu and Zimbabwe advised the Secretariat that they had intended to vote in favour.

Abstaining: Australia, Austria, Bulgaria, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Liechtenstein, Malta, New Zealand, Norway, Poland, Romania, Spain, Sweden, Turkey

The sixth preambular paragraph of draft resolution III was adopted by 114 votes to 12, with 19 abstentions.*

The PRESIDENT: Next I shall put to the vote operative paragraph 5 of draft resolution III.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, Canada, France, Germany, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Bulgaria, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Israel, Japan, Lesotho, Liechtenstein, Malta, New Zealand, Norway, Poland, Romania, Spain, Sweden, Turkey

Operative paragraph 5 of draft resolution III was adopted by 114 to 10, with 22 abstentions.*

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* Subsequently the delegations of Panama and Vanuatu advised the Secretariat that they had intended to vote in favour.

The PRESIDENT: Next I shall put to the vote operative paragraph 8 of draft resolution III, on which a separate, recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Bulgaria, Canada, Czechoslovakia, Finland, Hungary, Iceland, Israel, Liechtenstein, Malta, New Zealand, Norway, Poland, Romania, Sweden, Turkey

Paragraph 8 of draft resolution III was retained by 116 votes to 14, with 17 abstentions.*

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* Subsequently the delegations of the Byelorussian Soviet Socialist Republic and Panama advised the Secretariat that they had intended to vote in favour.

The PRESIDENT: I now put to the vote draft resolution III, as a whole.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: United States of America

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland

Draft resolution III, as a whole, was adopted by 120 votes to 1, with 30 abstentions (resolution 45/90).*

The PRESIDENT: I call on the representative of Botswana, who wishes to explain her vote.

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* Subsequently the delegation of Panama advised the Secretariat that it had intended to vote in favour.

Mrs. MOLATLHIWA (Botswana): Although Botswana voted in favour of draft resolution III in document A/45/747 we are compelled to reserve our position on the sixth preambular paragraph and on operative paragraph 5.

The PRESIDENT: We have concluded our consideration of agenda item 91.

The Assembly will now consider the report of the Third Committee (A/45/748) on agenda item 92, entitled "Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons".

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 8 of its report.

The Third Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 45/91).

The PRESIDENT: That concludes our consideration of agenda item 92.

Next we turn to the report of the Third Committee (A/45/749) on agenda item 93, entitled "Human rights and scientific and technological developments".

The Assembly has to take a decision on the four draft resolutions recommended by the Third Committee in paragraph 19 of its report.

Draft resolution I is entitled "Human rights and scientific and technological developments". The Third Committee adopted draft resolution I without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 45/92).

The PRESIDENT: Draft resolution II is also entitled "Human rights and scientific and technological developments". The Third Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 45/93).

The PRESIDENT: We turn now to draft resolution III, entitled "Need to ensure a healthy environment for the well-being of individuals". The Third Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 45/94)

The PRESIDENT: Lastly, the Assembly will take a decision on draft resolution IV, entitled "Guidelines for the regulation of computerized personal data files", which the Third Committee adopted without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 45/95)

The PRESIDENT: We have concluded our consideration of agenda item 93.

The Assembly will now turn to the report of the Third Committee (A/45/750) on agenda item 94, entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

The Assembly has before it four draft resolutions and one draft decision.

The Assembly will now take a decision on the four draft resolutions recommended by the Third Committee in paragraph 21 of its report.

(The President)

Draft resolution I is entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: United States of America

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland

Draft resolution I was adopted by 121 votes to 1, with 29 abstentions (resolution 45/96).*

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* Subsequently the delegation of Panama advised the Secretariat that it had intended to vote in favour.

The PRESIDENT: We turn now to draft resolution II, entitled "Right to development".

The Third Committee adopted this draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution II was adopted (resolution 45/97).

The PRESIDENT: Draft resolution III is entitled "Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States".

The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 45/98).

The PRESIDENT: Draft resolution IV is entitled "Development of public information activities in the field of human rights".

The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 45/99).

The PRESIDENT: The Assembly will now take a decision on the draft decision recommended by the Third Committee in paragraph 22 of its report (A/45/750).

The Third Committee adopted the draft decision. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted.

The PRESIDENT: I call on the representative of the United States of America, who wishes to explain his position after the vote.

Mr. WALDROP (United States of America): For the reasons which my delegation stated in the Third Committee on 23 November, the United States did not participate in the General Assembly's adoption of draft resolution II, entitled

(Mr. Waldrop, United States)

"Right to development". Further, we completely disassociate ourselves from this action.

The PRESIDENT: That concludes our consideration of agenda item 94.

The Assembly will now turn its attention to agenda item 95, entitled "New international humanitarian order".

The Assembly will now take decisions on the three draft resolutions recommended by the Third Committee in paragraph 12 of its report (A/45/751).

Draft resolution I, entitled "Humanitarian assistance to victims of natural disasters and similar emergency situations", was adopted by the Third Committee without a vote. May I consider that the General Assembly wishes to adopt it also?

Draft resolution I was adopted (resolution 45/100).

The PRESIDENT: Draft resolution II is entitled "New international humanitarian order". It was adopted by the Third Committee without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 45/101).

The PRESIDENT: Draft resolution III is entitled "Promotion of international co-operation in the humanitarian field" and was adopted by the Third Committee without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 45/102).

The PRESIDENT: We have thus concluded our consideration of agenda item 95.

We turn next to the report (A/45/752) of the Third Committee on agenda item 96, entitled "Policies and programmes involving youth".

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 7 of its report.

(The President)

This draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 45/103).

The PRESIDENT: The Assembly has thus concluded its consideration of agenda item 96.

The Assembly will now consider the report (A/45/753) of the Third Committee on agenda item 97, entitled "Implementation of the Convention on the Rights of the Child".

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 7 of its report.

The Third Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 45/104).

The PRESIDENT: We have thus concluded our consideration of agenda item 97.

The Assembly will now consider the report (A/45/754) of the Third Committee on agenda item 98, entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination".

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 10 of its report.

The draft resolution, entitled "Second Decade to Combat Racism and Racial Discrimination", was adopted by the Third Committee without a vote. May I consider that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution 45/105).

The PRESIDENT: I call on the representative of the United States, who wishes to speak in explanation of vote after the vote.

Mr. WALDROP (United States of America): For the reasons which my delegation stated in the Third Committee on 2 November the United States did not participate in the General Assembly's adoption of the draft resolution entitled "Second Decade to Combat Racism and Racial Discrimination".

The PRESIDENT: That concludes consideration of agenda item 98.

We now move to consideration of the report (A/45/755) of the Third Committee on agenda item 99, entitled "Question of aging".

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 11 of its report.

The draft resolution, entitled "Implementation of the International Plan of Action on Aging and Related Activities", was adopted by the Third Committee without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 45/106).

The PRESIDENT: That concludes consideration of agenda item 99.

(The President)

We now proceed to agenda item 100, "Crime prevention and criminal justice".

The General Assembly has before it 17 draft resolutions and 1 draft decision recommended by the Third Committee in paragraph 51 of its report (A/45/756).

I call on the representative of India, who wishes to speak in explanation of vote before the vote.

Ms. MEHTA (India): With reference to the report of the Third Committee (A/45/756) on crime prevention and criminal justice, specifically paragraphs 27, 29, 31 and 33, my delegation would like to recall that we made a single statement in explanation of vote in respect of draft resolutions X to XIII, recommended for adoption by the General Assembly at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

The PRESIDENT: The Assembly will now take action on the 17 draft resolutions recommended by the Third Committee in paragraph 51 of its report (A/45/756). The report by the Fifth Committee on the programme budget implications of draft resolutions I, II, IV, VI, IX to XIII and XV is contained in document A/45/845.

Draft resolution I is entitled "International co-operation for crime prevention and criminal justice in the context of development". It was adopted by the Third Committee without a vote. May I take it that the General Assembly too wishes to adopt the draft resolution?

Draft resolution I was adopted (resolution 45/107).

The PRESIDENT: Draft resolution II is entitled "Review of the functioning and programme of work of the United Nations in crime prevention and criminal justice". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly too wishes to adopt the draft resolution?

Draft resolution II was adopted (resolution 45/108).

The PRESIDENT: Draft resolution III is entitled "Computerization of criminal justice". The Third Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution III was adopted (resolution 45/109).

The PRESIDENT: Draft resolution IV is entitled "United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules)". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly also wishes to adopt it?

Draft resolution IV was adopted (resolution 45/110).

The PRESIDENT: Draft resolution V is entitled "Basic principles for the treatment of prisoners". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly too wishes to adopt the draft resolution?

Draft resolution V was adopted (resolution 45/111).

The PRESIDENT: Draft resolution VI is entitled "United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)". The Third Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution VI was adopted (resolution 45/112).

The PRESIDENT: Draft resolution VII is entitled "United Nations Rules for the Protection of Juveniles Deprived of their Liberty". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly too wishes to adopt it?

Draft resolution VII was adopted (resolution 45/113).

The PRESIDENT: Draft resolution VIII is entitled "Domestic violence". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly also wishes to adopt the draft resolution?

Draft resolution VIII was adopted (resolution 45/114).

The PRESIDENT: Draft resolution IX is entitled "Instrumental use of children in criminal activities". The Third Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution IX was adopted (resolution 45/115).

The PRESIDENT: Draft resolution X is entitled "Model Treaty on Extradition". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly too wishes to adopt the draft resolution?

Draft resolution X was adopted (resolution 45/116).

The PRESIDENT: Draft resolution XI is entitled "Model Treaty on Mutual Assistance in Criminal Matters". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly too wishes to adopt it?

Draft resolution XI was adopted (resolution 45/117).

The PRESIDENT: Draft resolution XII is entitled "Model Treaty on the Transfer of Proceedings in Criminal Matters". The Third Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution XII was adopted (resolution 45/118).

The PRESIDENT: Draft resolution XIII is entitled "Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally

(The President)

Released". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly also wishes to adopt it?

Draft resolution XIII was adopted (resolution 45/119).

The PRESIDENT: Draft resolution XIV is entitled "Crime prevention and criminal justice: expression of appreciation to the Government and people of Cuba on the occasion of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly too wishes to adopt the draft resolution?

Draft resolution XIV was adopted (resolution 45/120).

The PRESIDENT: Draft resolution XV is entitled "Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders". The Third Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution XV was adopted (resolution 45/121).

The PRESIDENT: Draft resolution XVI is entitled "Criminal justice education". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly too wishes to adopt the draft resolution?

Draft resolution XVI was adopted (resolution 45/122).

The PRESIDENT: Draft resolution XVII is entitled "International co-operation in combating organized crime". The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly also wishes to adopt it?

Draft resolution XVII was adopted (resolution 45/123).

The PRESIDENT: The General Assembly will now take action on the draft decision recommended by the Third Committee in paragraph 52 of its report

(The President)

(A/45/756). The draft decision, entitled "Crime prevention and criminal justice", was adopted by the Third Committee without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted.

The PRESIDENT: I shall now call on representatives who wish to explain their position on the decisions the Assembly has just taken.

Mr. WALDROP (United States of America): For the reasons my delegation stated in the Third Committee on 23 November, the United States did not participate in the General Assembly's adoption of draft resolution XIV, entitled "Crime prevention and criminal justice: expression of appreciation to the Government and people of Cuba on the occasion of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders".

Mr. KHODAKOV (Union of Soviet Socialist Republics) (interpretation from Russian): The Soviet delegation joined in the consensus adoption of the draft resolutions on the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

With respect to draft resolution X, entitled "Model Treaty on Extradition", my delegation wishes to state the following: It is well known that the question of extradition is of great importance in the context of international co-operation to combat crime, especially the most vicious forms of crime such as terrorism, drug trafficking and organized crime. The mandatory extradition of criminals guilty of such serious crimes, even the prospect of certain extradition, as is clear from practice, is among the most effective means of combating such crimes. Therefore, the idea of preparing a Model Treaty on Extradition was intended to facilitate the conclusion of international treaties on this subject, and we support it.

(Mr. Khodakov, USSR)

We feel that many of the provisions of model treaties seem useful. But in the light of what I have said, I must make some comments on paragraphs (a) and (b) of article 3 of the Model Treaty on Extradition. Among the circumstances listed in those paragraphs for not granting extradition are the political nature of a crime and the political opinions of the suspect.

(Mr. Khodakov, USSR)

It is our view that in the present drafting the interpretation of these paragraphs might undermine the effectiveness of international co-operation in combating crime, primarily terrorism and drug trafficking. That would open up prospects for abuse and the rejection of extradition for political reasons. The content of these paragraphs is contrary to numerous documents of the United Nations, in particular General Assembly resolution 44/29, which unequivocally condemns, as criminal and unjustifiable, all acts, methods and practices of terrorism wherever and by whomever committed.

In view of what I have just said, and taking into account the fact that the provisions in the Treaty generally are purely optional in nature, as is clearly indicated in paragraph 1 of the resolution, we believe that these provisions of course in no way bind States in deciding the matter of extradition of criminals, including in particular the provisions contained in this agreement. For our part, we intend to stick to the understanding and the agreement reached in previous sessions of the General Assembly and also at the Conference.

When the 1988 Rome Convention on combating illegal acts against the safety of marine shipping was drafted, paragraphs A and B of article III, which are identical to the formulation of paragraphs A and B of the resolution were deleted from it.

The PRESIDENT: We have completed this stage of our consideration of agenda item 100.

The Assembly will now turn its attention to agenda item 101, entitled "Elimination of all forms of discrimination against women". The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 8 of its report (A/45/757). The draft resolution, entitled "Convention on the Elimination of All Forms of Discrimination against Women", was adopted by

(The President)

the Third Committee without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 45/124).

The PRESIDENT: We have now concluded our consideration of agenda item 101.

We shall now consider the report of the Third Committee (A/45/758) on agenda item 102, entitled "Forward-looking strategies for the advancement of women to the year 2000".

The Assembly will now take a decision on the five draft resolutions recommended by the Third Committee in paragraph 20 of its report.

Draft resolution I is entitled "Improvement of the status of women in the Secretariat". The Third Committee adopted this draft resolution without a vote. May I consider that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 45/125).

The PRESIDENT: We shall now take a decision on draft resolution II entitled "Women and literacy". This draft resolution was adopted by the Third Committee without a vote. May I consider that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 45/126).

The PRESIDENT: Draft resolution III is entitled "Interregional consultation on women in public life". The Third Committee adopted this draft resolution without a vote. May I consider that the Assembly wishes to do likewise?

Draft resolution III was adopted (resolution 45/127).

The PRESIDENT: Draft resolution IV is entitled "United Nations Development Fund for Women". The Third Committee adopted this draft resolution without a vote. May I consider that the Assembly wishes to do the same?

Draft resolution IV was adopted (resolution 45/128).

The PRESIDENT: Draft resolution V is entitled "Implementation of the Nairobi Forward-looking Strategies for the Advancement of Women". The Third Committee adopted this draft resolution without a vote. May I consider that the Assembly wishes to do the same?

Draft resolution V was adopted (resolution 45/129).

The PRESIDENT: We have thus concluded our consideration of agenda item 102.

The Assembly will now consider the report of the Third Committee (A/45/759) on agenda item 103, entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights".

The Assembly will now take a decision on the three draft resolutions recommended by the Third Committee in paragraph 18 of its report.

The Assembly will first take a decision on draft resolution I, entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights".

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, Canada, Denmark, Finland, France, Germany, Iceland, Israel, Italy, Luxembourg, Netherlands, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Costa Rica, Czechoslovakia, El Salvador, Greece, Hungary, Ireland, Japan, Liechtenstein, Malta, New Zealand, Poland, Portugal, Romania, Saint Vincent and the Grenadines, Samoa, Spain, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics

Draft resolution I was adopted by 113 to 15, with 23 abstentions (resolution 45/130).*

The PRESIDENT: The Assembly will now take a decision on draft resolution II, entitled "Universal realization of the right of peoples to self-determination". The Third Committee adopted draft resolution II without a vote. May I consider that the General Assembly wishes to do the same?

Draft resolution II was adopted (resolution 45/131).

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* Subsequently the delegation of Panama advised the Secretariat that it had intended to vote in favour.

The PRESIDENT: Finally, we turn to draft resolution III, entitled "Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination". A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, France, Germany, Italy, Japan, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Australia, Austria, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Ireland, Israel, Liechtenstein, Malta, New Zealand, Norway, Poland, Romania, Spain, Sweden, Turkey

Draft resolution III was adopted by 121 to 10, with 21 abstentions (resolution 45/132).*

The PRESIDENT: The Assembly has thus concluded its consideration of agenda item 103.

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* Subsequently the delegation of Panama advised the Secretariat that it had intended to vote in favour.

(The President)

We turn now to the report of the Third Committee (A/45/760) on agenda item 104, entitled "International Year of the Family".

The Assembly will take decisions on the two draft resolutions recommended by the Third Committee in paragraph 15 of its report.

Draft resolution I is entitled "International Year of the Family". The Third Committee adopted it without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 45/133).

The PRESIDENT: Draft resolution II is entitled "Follow-up to the Guiding Principles for Developmental Social Welfare Policies and Programmes in the Near Future, and the negative social consequences of alcohol use". The Third Committee adopted draft resolution II without a vote. May I take it that the General Assembly also wishes to do so?

Draft resolution II was adopted (resolution 45/134).

The PRESIDENT: We have concluded our consideration of agenda item 104.

The Assembly will now consider the report of the Third Committee (A/45/761) on agenda item 105, entitled "International Covenants on Human Rights".

The Assembly will take a decision on the draft resolution recommended by the Third Committee in paragraph 8 of its report. The Third Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 45/135).

The PRESIDENT: We have concluded our consideration of agenda item 105.

The Assembly will now consider the report of the Third Committee (A/45/762) on agenda item 106, entitled "Elimination of all forms of religious intolerance".

(The President)

The Assembly will take a decision on the draft resolution recommended by the Third Committee in paragraph 7 of its report. The draft resolution was adopted by the Third Committee without a vote. May I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 45/136).

The PRESIDENT: We have concluded our consideration of agenda item 106. The Assembly will now consider the report of the Third Committee (A/45/763) on agenda item 107, entitled "Office of the United Nations High Commissioner for Refugees".

The Assembly will take decisions on the five draft resolutions recommended by the Third Committee in paragraph 18 of its report.

Draft resolution I, entitled "International Conference on the Plight of Refugees, Returnees and Displaced Persons in Southern Africa", was adopted by the Third Committee without a vote. May I take it that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 45/137).

The PRESIDENT: Draft resolution II is entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees". The Third Committee adopted draft resolution II without a vote. May I take it that the General Assembly also wishes to adopt it?

Draft resolution II was adopted (resolution 45/138).

The PRESIDENT: Draft resolution III is entitled "Emergency humanitarian assistance to Liberian refugees and displaced persons". The Third Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 45/139).

The PRESIDENT: Draft resolution IV is entitled "Office of the United Nations High Commissioner for Refugees". The Third Committee adopted this draft resolution too without a vote. May I take it that the Assembly wishes to adopt it?

Draft resolution IV was adopted (resolution 45/140).

The PRESIDENT: Finally, we turn to draft resolution V, entitled "International Conference on Central American refugees". The Third Committee adopted draft resolution V without a vote. May I take it that the Assembly also wishes to do so?

Draft resolution V was adopted (resolution 45/141).

The PRESIDENT: I now call on the representative of the United States, who wishes to make a statement in explanation of his delegation's position.

Mr. WALDROP (United States of America): For the reasons my delegation stated in the Third Committee on 28 November, the United States did not participate in the General Assembly's adoption of draft resolution II entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees".*

The PRESIDENT: We have concluded our consideration of agenda item 107.

The Assembly will now consider the report of the Third Committee (A/45/765) on agenda item 109, entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

The Assembly will take decisions on the three draft resolutions recommended by the Third Committee in paragraph 12 of its report.

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* The President returned to the Chair.

(The President)

Draft resolution I, entitled "Report of the Committee against Torture and status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment", was adopted by the Third Committee without a vote. May I consider that the General Assembly wishes to do the same?

Draft resolution I was adopted (resolution 45/142).

The PRESIDENT: Draft resolution II, entitled "United Nations Voluntary Fund for Victims of Torture", was adopted by the Third Committee without a vote. May I take it that the Assembly also wishes to do so?

Draft resolution II was adopted (resolution 45/143).

The PRESIDENT: Draft resolution III is entitled "Torture and inhuman treatment of children in detention in South Africa". The Third Committee adopted this draft resolution without a vote. May I take it that the Assembly too wishes to adopt it?

Draft resolution III was adopted (resolution 45/144).

The PRESIDENT: We have concluded our consideration of agenda item 109.

The remaining reports of the Third Committee, on agenda items 12, "Report of the Economic and Social Council"; 108, "International action to combat drug abuse and illicit trafficking"; and 110, "Enhancing the effectiveness of the principle of periodic and genuine elections", will be considered in a plenary meeting next Tuesday, 18 December, in the afternoon.

AGENDA ITEM 33 (continued)

LAW OF THE SEA

(a) REPORTS OF THE SECRETARY-GENERAL (A/45/563, A/45/712, A/45/721 and Corr.1)

(b) DRAFT RESOLUTION (A/45/L.29)

The PRESIDENT: I should like to remind representatives that the debate on this item was concluded at the 65th plenary meeting, held on Tuesday, 11 December.

(The President)

The Assembly will now consider the draft resolution issued as document A/45/L.29. The following countries have become sponsors of the draft resolution since it was introduced: Brazil, Cuba, Ghana, Guinea-Bissau and Vanuatu.

(The President)

The Assembly will take a decision on draft resolution A/45/L.29.

We shall now begin the voting process. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominica, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Turkey, United States of America

Abstaining: Ecuador, Germany, Israel, Peru, United Kingdom of Great Britain and Northern Ireland, Venezuela

Draft resolution A/45/L.29 was adopted by 140 votes to 2, with 6 abstentions (resolution 45/145).*

The PRESIDENT: I shall now call on those representatives who wish to make statements in explanation of vote.

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* Subsequently the delegations of Burkina Faso and the United Arab Emirates advised the Secretariat that they had intended to vote in favour.

Mr. MARTINEZ GONDRA (Argentina) (interpretation from Spanish): My country interprets the third preambular paragraph and operative paragraph 4 of the draft resolution just adopted in the light of the declaration it made on 5 October 1984, when it signed the United Nations Convention on the Law of the Sea. In particular, this relates to the last paragraph of the declaration, which reaffirms the clear statement in article 318 of the Convention that the annexes form an integral part of the Convention.

Mr. PICKERING (United States of America): The United States views the 1982 United Nations Convention on the Law of the Sea as a major accomplishment in the development of international law of the oceans. The Convention has many positive aspects and the United States has actively supported and promoted observance of the vast majority of its provisions.

This year the United States made a concerted effort to improve certain aspects of the draft resolution on this item. We made a number of concrete proposals that would have allowed us to change our vote. The central theme of those proposals was a recognition that there are outstanding issues that need to be addressed regarding the régime for the area and its resources, and a call upon all States to address these issues. We also sought a request that States bear this in mind in considering ratification of or accession to the Convention. However, we were told by some delegations that the time was not yet ripe for acknowledging in a resolution that these issues exist. Therefore, we had to oppose the draft resolution. Nevertheless, we appreciate the support we received from many delegations and we thank them for their hard work.

As we have said in the past, we have fundamental objections to the deep-sea-bed mining provisions of the Convention. Over the past year we have had the opportunity to discuss our objections with a number of States. We have

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explained that circumstances have changed markedly since 1982, suggesting a need to stand back from the existing text of part XI and consider the problem in more conceptual terms. Distilled to its essence, our view is that the changed circumstances cited by the Secretary-General in the report on his initiative suggest the need for a substantially scaled-back institutional structure and a more market-oriented approach to the management of the area and its resources - an approach which is flexible enough to adapt to new circumstances.

We were encouraged by our consultations but, at the same time, I must emphasize that the lingering doubts expressed by some States lead us to conclude that we have not yet reached the stage for negotiations. While we see evidence that many States are coming to the view that the sea-bed mining régime needs to be adjusted to reflect the realities, it is important, before we embark on such an important step, that all interested States believe that there are reasonable prospects for success.

Having expressed our concerns regarding the sea-bed régime, I should like to express my Government's support for the emphasis placed upon efforts to encourage States to bring their national law into conformity with international law as reflected in the provisions of the Convention concerning traditional uses of the oceans.

My Government has been active in supporting and promoting compliance with these provisions and in discouraging claims inconsistent with international law. In particular, we welcome the action by many States to revise their laws and regulations to ensure conformity with international law, and we encourage others to do the same.

We also believe it is in the interests of the world community to know that excessive maritime claims have been opposed. Protesting against such claims, whether diplomatically or in practice, is necessary in order to maintain the

(Mr. Pickering, United States)

integrity of the navigational and overflight provisions of the Convention. We also hope that States will act to make protests generally known to the world community. Such actions will serve to demonstrate the unacceptability of such claims and to encourage States to modify their laws and regulations to conform to the terms of the Convention.

We hope that other Governments share this concern for rejecting illegal maritime claims, thereby assisting in maintaining a fair balance of interest between coastal and maritime States.

I should also like to take this opportunity to point out that the United States does not view the call upon all States to safeguard the unity of the Convention as a limitation on either the right or the duty of all States to act in accordance with those portions of the Convention that reflect customary international law.

Finally, my delegation would like to join in the expression of appreciation for the study on marine scientific research. We particularly support the recommendation for greater international co-operation on ocean research and monitoring, to improve our understanding of the role of the ocean in influencing climate and the global environment and to provide a sound scientific basis for environmental decision-making. We are also pleased that the resolution emphasizes the role of the specialized United Nations agencies and the importance of co-operation and co-ordination between them.

Mr. AUST (United Kingdom): May I start by warmly welcoming the valuable report of the Secretary-General on developments relating to the Convention on the Law of the Sea. This is, as ever, a most useful and detailed compendium which the Secretariat has put together with its usual clarity and precision. It makes a very handy reference source, keeping us up to date on developments world wide.

Delegations may wish to be aware of two advances in our own law which have taken place in the last year. First, we have implemented in our domestic law the Vienna Convention against illicit traffic in narcotic drugs, which of course has important provisions regarding enforcement at sea. Secondly, we have extended our powers of pollution control to cover dumping on our own continental shelf by ships of any flag.

The report refers to the Secretary-General's initiative in promoting a dialogue on those aspects of the deep-sea-bed mining provisions which have prevented States, including the United Kingdom, from ratifying the Convention. This is a most positive development on which the Secretary-General deserves our unreserved congratulations.

As the Secretary-General has acknowledged, times have changed since the Convention was originally opened for signature. We are all now much more aware of the distant prospect of viable deep-sea-bed mining, and also of the difficulties which will attend it. In addition world wide there has been a reassessment of economic thinking and an acknowledgement that, in the long run, nobody benefits from unnecessary restrictions on the workings of the market, in over-regulation or in attempts to distort the market in the specific case of certain metals.

As a result of these new factors there is an atmosphere of co-operation surrounding the dialogue and a real hope that progress may now be achievable. We must allow those willing to put very substantial investment into developing this new area of the world's resources to make a reasonable return without undue

(Mr. Aust, United Kingdom)

restriction. At the same time we must acknowledge the need for necessary regulation, for example to prevent unacceptable environmental damage and also to give effect to the principle that the resources of the deep sea-bed are the common heritage of mankind.

There is no doubt that the Secretary-General's initiative is therefore particularly well-timed, and we are hopeful that the dialogue will indeed lead to changes which will bring about the universal acceptance of the United Nations Convention on the Law of the Sea. Let there be no doubt that we view this Convention in all but part XI as very useful; once the problems of part XI are resolved, its universal adoption will be a major advance and represent a significant achievement for the United Nations.

With the positive developments we have outlined, it is a cause of some sadness that we were not in a position to vote for the resolution this year. However, we abstained because of certain aspects which we were unable with consistency to support. In particular, we could not vote for a resolution containing operative paragraph 4. Given the hope for progress from the Secretary-General's initiative, and the general recognition of the need to face up to the fundamental problems of part XI, it cannot be helpful or right to call for immediate ratification of the Convention as it stands, thereby increasing polarization at a time when we are seeking to come together.

This resolution contains much that we commend, and we are certainly supportive of its general thrust and direction. We shall continue to play an active and positive role in supporting the Secretary-General's initiative, and as observers to the Preparatory Commission, and hope to play our part with others in achieving substantive progress in the coming year.

Mr. AKAY (Turkey): Turkey voted against the draft resolution on the Law of the Sea contained in document A/45/L.29, which has just been adopted by the General Assembly. The reason for my delegation's negative vote is that some of the elements contained in the Convention on the Law of the Sea which prevented Turkey from approving the Convention are still retained in this resolution. Turkey supports the international efforts to establish a régime of the sea which is based on the principle of equity and which can be acceptable to all States. However, the Convention does not make adequate provisions for special geographical situations and, as a consequence, is not able to establish a satisfactory balance between conflicting interests. Furthermore, the Convention makes no provision for registering reservations on specific clauses. Although we agree with the Convention in its general intent and most of its provisions, we were unable to sign it owing to these serious shortcomings. This being the case, we cannot accept the provision in this resolution which requires States to conform with the Convention on the Law of the Sea in drafting their national legislation.

The PRESIDENT: That concludes our consideration of agenda item 33.

AGENDA ITEM 38

DECLARATION OF THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT OF THE ORGANIZATION OF AFRICAN UNITY ON THE AERIAL AND NAVAL MILITARY ATTACK AGAINST THE SOCIALIST PEOPLE'S LIBYAN ARAB JAMAHIRIYA BY THE PRESENT UNITED STATES ADMINISTRATION IN APRIL 1986

The PRESIDENT: Following consultations, it is my understanding that consideration of this item may be deferred to the forty-sixth session of the General Assembly.

May I take it that it is the wish of the Assembly to defer consideration of the item and to include it in the provisional agenda of the forty-sixth session?

It was so decided.

The PRESIDENT: This concludes our consideration of agenda item 38.

AGENDA ITEM 42

ARMED ISRAELI AGGRESSION AGAINST THE IRAQI NUCLEAR INSTALLATIONS AND ITS GRAVE CONSEQUENCES FOR THE ESTABLISHED INTERNATIONAL SYSTEM CONCERNING THE PEACEFUL USES OF NUCLEAR ENERGY, THE NON-PROLIFERATION OF NUCLEAR WEAPONS AND INTERNATIONAL PEACE AND SECURITY

The PRESIDENT: The Assembly decided on 21 September 1990 to include this item on the agenda of the forty-fifth session of the General Assembly.

May I take it that it is the wish of the Assembly to defer consideration of this item to a later date during this session and to include it in the draft agenda of the forty-sixth session?

It was so decided.

AGENDA ITEM 44

CONSEQUENCES OF THE PROLONGATION OF THE ARMED CONFLICT BETWEEN IRAN AND IRAQ

The PRESIDENT: The Assembly decided on 21 September 1990 to include this item in the agenda of the forty-fifth session. It is my understanding that there is no request for discussion under this item during this session.

This concludes our consideration of agenda item 44.

PROGRAMME OF WORK

The PRESIDENT: Before adjourning the meeting, I should like to make an announcement in regard to the next plenary meeting of the Assembly, scheduled for Tuesday, 18 December, in the afternoon.

In addition to considering the remaining Third Committee reports, the Assembly will also take action on the draft resolutions relating to agenda item 34, "Policies of apartheid of the Government of South Africa", agenda item 117, "Review of the efficiency of the administrative and financial functioning of the United Nations" and agenda item 152, "Critical economic situation in Africa".

The meeting rose at 12.30 p.m.